



# BARRIERS TO CASTING A BALLOT

In 2017 and 2018, the Native American Voting Rights Coalition—founded by the Native American Rights Fund—held nine public hearings to better understand how Native Americans are systemically and culturally kept from fully exercising their franchise. More than 120 witnesses testified from dozens of tribes across the country.

The final report, *Obstacles at Every Turn: Barriers to Political Participation of Native American Voters*, provides detailed evidence that Native people face obstacles at every turn in the electoral process: from registering to vote, to casting votes, to having votes counted.

## **BARRIERS LIMITING AIAN FROM CASTING A BALLOT:**

Systemic barriers preventing Native Americans from casting their votes is a dominant theme in Indian Country. Witnesses from across the nation identified the struggles they face in exercising their right to franchise, and hearings unveiled the policies and practices that consistently disenfranchise Native Americans. The necessary first step to addressing these barriers is to identify them. By acknowledging barriers and advocating for equity, Native Americans can begin to claim their political power and demand just treatment.

As one witness put it, *“Treat me as a human being and be respectful to my elders, respectful to my children.”*



### **Unequal Funding**

Polling locations intended to service Native American populations are often underfunded with inadequate facilities and equipment.



### **Lack of Pre-Election Information and Outreach**

Pre-election information can be critical to informing voters about changes in the election format, like when to register, when to vote, and where to vote in the election. Without interactions or necessary information, many Native Americans do not vote. As one community organizer explained, *“We have to educate our own people because others do not come onto the reservation to educate us.”*



### **Unequal Access to In-Person Voting**

Native voters generally must travel greater distances to get to their polling places than non-Native voters living in the same counties. Often, polling places are located in predominantly non-Native county seats or non-Native communities. In some instances, the more populous Native communities are denied in-person voting on tribal lands and must travel off the reservation to vote in less populated non-Native communities.



### **Unequal Access to Early Voting**

Unequal access to early voting is a common thread throughout Indian Country. While non-Indian areas may have access to days or weeks of early voting opportunities, that same access is not available to Native Americans.



### **Cultural and Political Isolation**

Through termination era policies, Native Americans have relocated to urban areas and experience cultural isolation and lack representation. Native people have not had equal access to culturally relevant information pertaining to the election process. A witness testified *“[A]s a Native person, I wish I had more of a connection to who these candidates are. When I want to find out about them I don't get any responses from them. I don't know if it's because I'm Native or maybe they think I am not important at all.”*



### **Arbitrary Population Thresholds In Order to Establish Polling Places**

Sometimes, states require a minimum number of people to be registered before they grant a polling place or voting center where voters can register. This results in a scenario where the lack of Native registered voters—because there is no voting center to register—means that tribes are denied on-reservation polling places and voting centers.



### **Use of The ADA to Deny Polling Places on Reservation Lands**

Political participation must include independent living, which “means full inclusiveness for people with disabilities,” and be in compliance with the Americans with Disabilities Act (ADA). Sadly, the ADA has been used as a tactic deployed by officials to deny polling places on reservation lands and disenfranchise an entire community of voters by attempting to punt polling locations hundreds of miles off reservations under the guise of “accessibility” due to older, non-compliant buildings that the communities cannot afford to modify. This is done without exploring other ADA acceptable forms of voting, such as curbside voting, and without regard for the burden of travel to distant polling locations for able and disabled voters alike.



### **Lack of Native American election workers**

Often, Native Americans are forced to leave their communities and vote in places that are hostile and have long histories of discrimination. Interactions with non-Native poll workers in these communities are tense. It is recommended that Native involvement should extend to both temporary and permanent positions so that trust and communications between county and tribal officials and Native voters is strong. Community activists advocate for a place *“of my own culture, [because] if there is a trusted community member, a leader, I will take the time to listen to them ... if I see a trusted, familiar face that’s talking about [elections], I’m definitely going to take the time to listen to what they have to say.”*

**Read the full report at [vote.narf.org](https://vote.narf.org) and contact [vote@narf.org](mailto:vote@narf.org) for more information.**

**ABOUT THE NATIVE AMERICAN RIGHTS FUND:** Since 1970, the Native American Rights Fund (NARF) has provided specialized legal assistance to protect the rights of Native American tribes, organizations, and individuals nationwide. NARF has achieved significant results in hundreds of major cases, addressing fundamental issues like tribal sovereignty, treaty rights, natural resource protection, human rights, Indian education, and voting rights. In 2015, NARF began the Native American Voting Rights Coalition, comprised of national and regional grassroots organizations, academics, and attorneys advocating for equitable access for Native Americans to the political process.